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10 Attorney for Defendants

11 TEACHBK, INC., ILYA KISELEV,

12 and ANDREI BURTSEV

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 MIRIAM GOLDBERG, a/k/a Marina ) **Case No.: 3:24-cv-4525**  
16 Sokolovskaya, )  
17 Plaintiff, ) **ANSWER TO PLAINTIFF'S COMPLAINT**  
18 vs. ) **FOR DEFAMATION**  
19 TEACHBK, INC., ILYA KISELEV, and )  
20 ANDREI BURTSEV )  
21 Defendants. )

22 Defendants TEACHBK, INC., ILYA KISELEV, and ANDREI BURTSEV (collectively  
23 “Defendants”), and each of them, deny this defamation-based action, the allegations contained in the  
24 Complaint, and each of the claims contained therein, and hereby respectfully submit their Answer to  
25 the Complaint filed by Plaintiff MIRIAM GOLDBERG a/k/a Marina Sokolovskaya  
26 (“Sokolovskaya”). Defendants, and each of them, hereby admit, deny, and allege as follows:

27 **I. ANSWER**

28 **NATURE OF THE CASE**

29 1. Answering Paragraph 1 of the Complaint, Defendants state that Plaintiff purports to  
30 bring a defamation action. Except as expressly stated, Defendants deny they committed defamation,  
31 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that

1 Plaintiff is entitled to any relief whatsoever. Defendants are without sufficient knowledge or  
2 information to form a belief as to the truth of Plaintiff's allegations that she is the marketing director  
3 for a U.S. immigration law firm that assists Russian asylum seekers, and, on that basis, deny said  
4 allegations. Defendants admit that Russian residents may, upon payment of a fee, obtain a personal  
5 interview with Defendants Kiselev and Burtsev (YouTubers, bloggers and formerly accredited  
6 journalists) to ask questions, discuss their situation, express concerns and learn additional details  
7 concerning Defendants' own experiences seeking asylum in the United States from persecution in  
8 Russia that may be pertinent to the subscriber's situation. Defendants deny they offer immigration  
9 services. Except as expressly stated, Defendants deny each and every remaining allegation in  
10 Paragraph 1.

11 **PARTIES, JURISDICTION AND VENUE**

12 2. Answering Paragraph 2 of the Complaint, Defendants state that Plaintiff  
13 Sokolovskaya has represented in videos she posts online that she is a resident of Brooklyn, New  
14 York, but Defendants are without sufficient knowledge or information to form a belief as to the truth  
15 of Plaintiff's allegations about her residence, and, on that basis, deny said allegations. Defendants  
16 admit that Modern Law Group appears to be a U.S.-based law firm that handles immigration cases.  
17 Defendants deny that Plaintiff is a private figure or that Plaintiff lacks connection to the Russian  
18 government. Plaintiff's allegation that "[t]o suggest that she has any support for or connection with  
19 the Russian government is false, defamatory..." are legal conclusions and/or legal descriptions for  
20 which no response is required. To the extent a response is required to this allegation, Defendants  
21 deny it. Defendants are without sufficient knowledge or information to form a belief as to the truth  
22 of any of the remaining allegations in this Paragraph and, on that basis, deny each and every  
23 remaining allegation in Paragraph 2.

24 3. Answering Paragraph 3 of the Complaint, Defendants admit that Defendant Kiselev is  
25 an individual residing in the state of California. Except as expressly stated, Defendants deny each  
26 and every remaining allegation in Paragraph 3.

27 4. Answering Paragraph 4 of the Complaint, Defendants admit that Defendant Burtsev  
28 is an individual that currently resides in Rocklin, California. Except as expressly stated, Defendants

1 deny each and every remaining allegation in Paragraph 4.

2       5. Answering Paragraph 5 of the Complaint, Defendants admit they run and administer  
3 various social media channels that post topics related to their personal travel/journey from Russia to  
4 the United States as Russian asylum seekers, as well as topics that are of general interest to the  
5 public related to the issues of immigration to the United States. Defendants admit they incorporated  
6 TeachBK. Except as expressly stated, Defendants deny each and every remaining allegation in  
7 Paragraph 5.

8       6. Answering Paragraph 6 of the Complaint, Defendants admit Defendants Kiselev and  
9 Burtsev are the sole owners and shareholders of Defendant TeachBK, Inc. Defendants admit  
10 Defendants Kiselev and Burtsev properly dissolved Defendant TeachBK's corporate status in  
11 Florida. Defendants admit they administer accounts under the TeachBK moniker across various  
12 social media platforms. Except as expressly stated, Defendants deny each and every remaining  
13 allegation in Paragraph 6.

14       7. Answering Paragraph 7 of the Complaint, Defendants admit Plaintiff Sokolovskaya  
15 represented to Defendants that she was a resident of the state of New York. Defendants admit  
16 Defendants Kiselev, Burtsev, and TeachBK are residents of the state of California, but deny that  
17 Defendant TeachBK is a former entity, and further deny that Defendant TeachBK's corporate status  
18 remains dissolved. Defendants deny they committed defamation, deny that Plaintiff was harmed as a  
19 result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
20 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in  
21 Paragraph 7. Paragraph 7 also asserts purported recitations and legal conclusions of law to which no  
22 response is required. To the extent a response is required, Defendants deny the allegations contained  
23 in Paragraph 7.

24       8. Answering Paragraph 8 of the Complaint, Defendants deny Defendant Kiselev resides  
25 in this District. Defendants deny that any of their acts were or are wrongful. Paragraph 8 also  
26 asserts purported recitations and legal conclusions of law to which no response is required. To the  
27 extent a response is required, Defendants deny the allegations contained in Paragraph 8.

28       9. Answering Paragraph 9 of the Complaint, Defendants admit they received written

1 communications from Modern Law Group and Slater Legal law firms. Except as expressly stated,  
2 Defendants deny each and every remaining allegation in Paragraph 9.

3 **INTRADISTRICT ASSIGNMENT**

4 10. Answering Paragraph 10 of the Complaint, Defendants state that Paragraph 10 asserts  
5 purported recitations and legal conclusions of law to which no response is required. To the extent a  
6 response is required, Defendants deny the allegations contained in Paragraph 10.

7 **GENERAL ALLEGATIONS**

8 11. Answering Paragraph 11 of the Complaint, Defendants admit the TeachBK domain  
9 and website was created in October 2020 and that the TeachBK YouTube channel was launched in  
10 February 2021. Defendants admit that neither Defendant Kiselev nor Defendant Burtsev are  
11 licensed as an attorney in the U.S. but deny any allegation that directly or impliedly alleges either of  
12 said Defendants offered any legal services or advice at any time and to any person as alleged in the  
13 Complaint. Defendants deny that the translated language included in Paragraph 11 is correct or that  
14 it is a true representation of what Defendants posted on their social media accounts. Except as  
15 expressly stated, Defendants deny each and every remaining allegation in Paragraph 11.

16 12. Answering Paragraph 12 of the Complaint, Defendants deny each and every  
17 allegation in Paragraph 12.

18 13. Answering Paragraph 13 of the Complaint, Defendants admit that Russian residents  
19 may, upon payment of a fee, obtain a personal interview with Defendants Kiselev and Burtsev  
20 (YouTubers, bloggers and formerly accredited journalists) to ask questions, discuss their situation,  
21 express concerns and learn additional details concerning Defendants' own experiences seeking  
22 asylum in the United States from persecution in Russia that may be pertinent to the subscriber's  
23 situation. Defendants further admit their website contains a clear disclaimer they do not provide  
24 legal services and/or legal advice. Defendants deny any allegation that directly or impliedly alleges  
25 Defendants offered any legal services or legal advice at any time and to any person without the  
26 benefit of a license. Defendants deny they offer immigration services. Defendants also deny that the  
27 translated language included in Paragraph 13 is correct or that it is a true representation of what  
28 Defendants posted on their social media accounts. Except as expressly stated, Defendants deny each

1 and every remaining allegation in Paragraph 13.

2       14. Answering Paragraph 14 of the Complaint, Defendants deny they promote any  
3 particular vendors on their website. Except as expressly stated, Defendants admit the remaining  
4 allegations in Paragraph 14.

5       15. Answering Paragraph 15 of the Complaint, Defendants deny each and every  
6 allegation in Paragraph 15.

7       16. Answering Paragraph 16 of the Complaint, Defendants deny each and every  
8 allegation in Paragraph 16. Further answering, Defendants deny that they violated any federal law  
9 or California state law or otherwise violated any law related to any content they placed in any public  
10 forum hosted on the various social media platforms at issue in this litigation whether related to  
11 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed  
12 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
13 whatsoever.

14       17. Answering Paragraph 17 of the Complaint, Defendants admit they received written  
15 communications from Modern Law Group and Slater Legal law firms, but deny they removed videos  
16 in response to the substance of said communications. Except as expressly stated, Defendants deny  
17 each and every remaining allegation in Paragraph 17. Further answering, Defendants deny that they  
18 violated any federal law or California state law or otherwise violated any law related to any content  
19 they placed in any public forum hosted on the various social media platforms at issue in this  
20 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,  
21 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that  
22 Plaintiff is entitled to any relief whatsoever.

23       18. Answering Paragraph 18 of the Complaint, Defendants deny Defendant Kiselev  
24 threatened Plaintiff with sexual violence on Facebook. Defendants deny Valeriy Katkov is or was a  
25 member of the Russian political opposition. Defendants further deny Valeriy Katkov is or was a  
26 supporter of Aleksey Navalny. Defendants admit Katkov had, in the past, initiated legal proceedings  
27 against Defendant Kiselev in the Moscow courts but, answer further that Katkov was unsuccessful  
28 because Defendant Kiselev was judged by the Court in Moscow to be the prevailing party in those

1 proceedings. Defendants are without sufficient knowledge or information to form a belief as to the  
 2 truth of any of the remaining allegations in this Paragraph and, on that basis, deny each and every  
 3 remaining allegation in Paragraph 18.

4       19. Answering Paragraph 19 of the Complaint, Defendants admit Plaintiff reached out to  
 5 Valeriy Katkov, who is a Russian citizen, a current/former member of the Russian political elite, and  
 6 an owner of a news/media company used by the Russian political regime for purposes of  
 7 government propaganda, in September 2023. Defendants admit they learned about Plaintiff's  
 8 contact with Valeriy Katkov shortly after it occurred. Defendants further admit Katkov had, in the  
 9 past, initiated legal proceedings against Defendant Kiselev in the Moscow courts but Katkov was  
 10 unsuccessful because Defendant Kiselev was judged, by the Moscow courts, to be the prevailing  
 11 party in those proceedings. Except as expressly stated, Defendants deny each and every remaining  
 12 allegation in Paragraph 19.

13       20. Answering Paragraph 20 of the Complaint, Defendants admit that on September 7,  
 14 2023, they posted a video on their YouTube channel containing Defendants' fair comment and  
 15 opinions related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the  
 16 Russian government. Defendants deny that the translated language included in Paragraph 20 is  
 17 correct or that it is a true representation of what Defendants posted on their social media accounts.  
 18 To the extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1,  
 19 Defendants deny that Plaintiff's characterization, translation, and/or summary of the matters attached  
 20 as Exhibit 1 are true or accurate. Further answering, Defendants deny that they violated any federal  
 21 law or California state law or otherwise violated any law related to any content they placed in any  
 22 public forum hosted on the various social media platforms at issue in this litigation whether related  
 23 to Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was  
 24 harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any  
 25 relief whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation  
 26 in Paragraph 20.

27       21. Answering Paragraph 21 of the Complaint, Defendants admit the title of a September  
 28 7, 2023, video posted on their YouTube channel reflects Defendants' fair comment and opinions

1 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
2 government. Defendants deny that the translated language included in Paragraph 21 is correct or  
3 that it is a true representation of what Defendants posted on their social media accounts. To the  
4 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny  
5 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 are  
6 true or accurate. Further answering, Defendants deny that they violated any federal law or  
7 California state law or otherwise violated any law related to any content they placed in any public  
8 forum hosted on the various social media platforms at issue in this litigation whether related to  
9 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed  
10 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
11 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in  
12 Paragraph 21.

13       22. Answering Paragraph 22 of the Complaint, Defendants admit the cover of the  
14 September 7, 2023, video they posted on their YouTube channel reflects Defendants' fair comment  
15 and opinions related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to  
16 the Russian government. To the extent the allegations in the Complaint refer, incorporate, or are  
17 based on Exhibit 1, Defendants deny that Plaintiff's characterization, translation, and/or summary of  
18 the matters attached as Exhibit 1 are true or accurate. Further answering, Defendants deny that they  
19 violated any federal law or California state law or otherwise violated any law related to any content  
20 they placed in any public forum hosted on the various social media platforms at issue in this  
21 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,  
22 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that  
23 Plaintiff is entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and  
24 every remaining allegation in Paragraph 22.

25       23. Answering Paragraph 23 of the Complaint, Defendants admit that on September 7,  
26 2023, they posted a video on their YouTube channel containing Defendants' fair comment and  
27 opinions related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the  
28 Russian government. To the extent the allegations in the Complaint refer, incorporate, or are based

1 on Exhibit 1, Defendants deny that Plaintiff's characterization, translation, and/or summary of the  
2 matters attached as Exhibit 1 is true or accurate. Further answering, Defendants deny that they  
3 violated any federal law or California state law or otherwise violated any law related to any content  
4 they placed in any public forum hosted on the various social media platforms at issue in this  
5 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,  
6 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that  
7 Plaintiff is entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and  
8 every remaining allegation in Paragraph 23.

9       24. Answering Paragraph 24 of the Complaint, Defendants admit that the summary to the  
10 September 7, 2023, video they posted on their YouTube channel reflects Defendants' fair comment  
11 and opinions related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to  
12 the Russian government. Defendants deny that the translated language included in Paragraph 24 is  
13 correct or that it is a true representation of what Defendants posted on their social media accounts.  
14 To the extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1,  
15 Defendants deny that Plaintiff's characterization, translation, and/or summary of the matters attached  
16 as Exhibit 1 are true or accurate. Further answering, Defendants deny that they violated any federal  
17 law or California state law or otherwise violated any law related to any content they placed in any  
18 public forum hosted on the various social media platforms at issue in this litigation whether related  
19 to Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was  
20 harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any  
21 relief whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation  
22 in Paragraph 24.

23       25. Answering Paragraph 25 of the Complaint, Defendants admit that the September 7,  
24 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions  
25 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
26 government. Defendants deny that the translated language included in Paragraph 25 is correct or  
27 that it is a true representation of what Defendants posted on their social media accounts. To the  
28 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny

1 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 are  
2 true or accurate. Further answering, Defendants deny that they violated any federal law or  
3 California state law or otherwise violated any law related to any content they placed in any public  
4 forum hosted on the various social media platforms at issue in this litigation whether related to  
5 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed  
6 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
7 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in  
8 Paragraph 25.

9       26. Answering Paragraph 26 of the Complaint, Defendants admit that the September 7,  
10 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions  
11 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
12 government. Defendants deny that the translated language included in Paragraph 26 is correct or  
13 that it is a true representation of what Defendants posted on their social media accounts. To the  
14 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny  
15 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 are  
16 true or accurate. Further answering, Defendants deny that they violated any federal law or  
17 California state law or otherwise violated any law related to any content they placed in any public  
18 forum hosted on the various social media platforms at issue in this litigation whether related to  
19 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed  
20 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
21 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in  
22 Paragraph 26.

23       27. Answering Paragraph 27 of the Complaint, Defendants admit that the September 7,  
24 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions  
25 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
26 government. Defendants deny that the translated language included in Paragraph 27 is correct or  
27 that it is a true representation of what Defendants posted on their social media accounts. To the  
28 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny

1 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 is  
2 true or accurate. Further answering, Defendants deny that they violated any federal law or  
3 California state law or otherwise violated any law related to any content they placed in any public  
4 forum hosted on the various social media platforms at issue in this litigation whether related to  
5 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed  
6 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
7 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in  
8 Paragraph 27.

9       28. Answering Paragraph 28 of the Complaint, Defendants admit that the September 7,  
10 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions  
11 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
12 government. Further answering, Defendants deny that they violated any federal law or California  
13 state law or otherwise violated any law related to any content they placed in any public forum hosted  
14 on the various social media platforms at issue in this litigation whether related to Plaintiff or  
15 otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed as a result  
16 of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever.  
17 Except as expressly stated, Defendants deny each and every remaining allegation in Paragraph 28.

18       29. Answering Paragraph 29 of the Complaint, Defendants admit that the September 7,  
19 2023 video they posted on their YouTube channel reflects Defendants' fair comment and opinions  
20 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
21 government, and Defendants' fair comment and opinion regarding Plaintiff's posting of sensitive  
22 information about Russian citizens seeking political asylum in the U.S. that placed those persons in  
23 danger of persecution by Russian government. Defendants deny that the translated language  
24 included in Paragraph 29 is correct or that it is a true representation of what Defendants posted on  
25 their social media accounts. To the extent the allegations in the Complaint refer, incorporate, or are  
26 based on Exhibit 1, Defendants deny that Plaintiff's characterization, translation, and/or summary of  
27 the matters attached as Exhibit 1 is true or accurate. Further answering, Defendants deny that they  
28 violated any federal law or California state law or otherwise violated any law related to any content

1 they placed in any public forum hosted on the various social media platforms at issue in this  
 2 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,  
 3 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that  
 4 Plaintiff is entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and  
 5 every remaining allegation in Paragraph 29.

6       30. Answering Paragraph 30 of the Complaint, Defendants admit that the September 7,  
 7 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions  
 8 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
 9 government. Defendants deny that the translated language included in Paragraph 30 is correct or  
 10 that it is a true representation of what Defendants posted on their social media accounts. To the  
 11 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny  
 12 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 is  
 13 true or accurate. Further answering, Defendants deny that they violated any federal law or  
 14 California state law or otherwise violated any law related to any content they placed in any public  
 15 forum hosted on the various social media platforms at issue in this litigation whether related to  
 16 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed  
 17 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
 18 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in  
 19 Paragraph 30.

20       31. Answering Paragraph 31 of the Complaint, Defendants are without sufficient  
 21 knowledge or information to form a belief as to the truth of any of the allegations in this Paragraph  
 22 and, on that basis, deny each and every allegation in Paragraph 31.

23       32. Answering Paragraph 32 of the Complaint, Defendants admit Defendant Kiselev  
 24 posted a comment on Instagram in 2022 in response to a post by Valeriy Katkov related to Katkov's  
 25 political candidacy. Defendants deny Katkov was an independent or an opposition political figure in  
 26 Russian politics at any time, and further state that, during all relevant times herein and through  
 27 present, Katkov has had an active and direct role in the Russian government either as a deputy, as a  
 28 consultant, and/or as a leading theoretician and professor of municipal law-making who routinely

1 trains Russian government employees, deputies, and ministers on the dogma and practice of Russian  
2 municipal law. To the extent the allegations in the Complaint refer, incorporate, or are based on  
3 Exhibit 2, Defendants deny that Plaintiff's characterization, translation, and/or summary of the  
4 matters attached as Exhibit 2 are true or accurate. Except as expressly stated, Defendants deny each  
5 and every remaining allegation in Paragraph 32.

6       33. Answering Paragraph 33 of the Complaint, Defendants admit Defendant Kiselev  
7 posted a comment on Instagram in 2022 in response to a post by Valeriy Katkov related to Katkov's  
8 political candidacy. To the extent the allegations in the Complaint refer, incorporate, or are based on  
9 Exhibit 2, Defendants deny that Plaintiff's characterization, translation, and/or summary of the  
10 matters attached as Exhibit 2 are true or accurate. Except as expressly stated, Defendants deny each  
11 and every remaining allegation in Paragraph 33.

12       34. Answering Paragraph 34 of the Complaint, Defendants state that to the extent the  
13 allegations in the Complaint refer, incorporate, or are based on Exhibit 2, Defendants deny that  
14 Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 2 are true  
15 or accurate.

16       35. Answering Paragraph 35 of the Complaint, Defendants admit Defendant Kiselev  
17 posted a comment on Instagram August 30, 2022, in response to an open letter published by Valeriy  
18 Katkov related to Katkov's political candidacy, but state that only a portion of Defendant Kiselev's  
19 post is referenced in the Complaint. Defendants deny that the translated language included in  
20 Paragraph 35 is correct or that it is a true representation of what Defendants posted on their social  
21 media accounts. To the extent the allegations in the Complaint refer, incorporate, or are based on  
22 Exhibit 2, Defendants deny that Plaintiff's characterization, translation, and/or summary of the  
23 matters attached as Exhibit 2 are true or accurate. Except as expressly stated, Defendants deny each  
24 and every remaining allegation in Paragraph 35.

25       36. Answering Paragraph 36 of the Complaint, Defendants state that to the extent the  
26 allegations in the Complaint refer, incorporate, or are based on Exhibit 3, Defendants deny that  
27 Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 3 are true  
28 or accurate.

1       37. Answering Paragraph 37 of the Complaint, Defendants deny each and every  
 2 allegation set forth in Paragraph 37. Paragraph 37 also asserts purported recitations and legal  
 3 conclusions of law to which no response is required. To the extent a response is required,  
 4 Defendants further deny the allegations contained in Paragraph 37. Further answering, Defendants  
 5 deny that they violated any federal law or California state law or otherwise violated any law related  
 6 to any content they placed in any public forum hosted on the various social media platforms at issue  
 7 in this litigation whether related to Plaintiff or otherwise. Defendants deny they committed  
 8 defamation, deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and  
 9 deny that Plaintiff is entitled to any relief whatsoever.

10      38. Answering Paragraph 38 of the Complaint, Defendants admit that the September 7,  
 11 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions  
 12 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
 13 government. Defendants deny that the translated excerpt included in Paragraph 38 is correct or is a  
 14 true representation of what either Defendant Kiselev or Defendant Burtsev stated in the September 7,  
 15 2023, video. To the extent the allegations in the Complaint refer, incorporate, or are based on  
 16 Exhibit 1, Defendants deny that Plaintiff's characterization, translation, and/or summary of the  
 17 matters attached as Exhibit 1 is true or accurate. Further answering, Defendants deny that they  
 18 violated any federal law or California state law or otherwise violated any law related to any content  
 19 they placed in any public forum hosted on the various social media platforms at issue in this  
 20 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,  
 21 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that  
 22 Plaintiff is entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and  
 23 every remaining allegation in Paragraph 38.

24      39. Answering Paragraph 39 of the Complaint, Defendants admit that Defendant  
 25 Kiselev's and Defendant's Burtsev's fair comment and opinions in their September 7, 2023 video  
 26 included a reference to Plaintiff's own video – whereby she gave an interview to a Modern Law  
 27 attorney Deron Edward Smallcomb, who stated: "you can only poke a sleeping bear so many times  
 28 before he wakes up; well, we've been poked one too many times" – and the significance of the use

1 of the “Russian bear” symbolism in discussing Plaintiff’s alleged dispute with Defendants.  
2 Defendants admit that the inclusion of an excerpt from the Soviet television show following  
3 Defendant Kiselev’s and Defendant Burtsev’s fair comment and opinions in their September 7,  
4 2023, video about Plaintiff’s “Russian bear” interview with attorney Deron Edward Smallcomb, was  
5 a satire of said subject matter. Defendants deny that the translated language included in Paragraph  
6 39 is correct or that it is a true representation of what Defendants posted on their social media  
7 accounts. To the extent the allegations in the Complaint refer, incorporate, or are based on Exhibit  
8 1, Defendants deny that Plaintiff’s characterization, translation, and/or summary of the matters  
9 attached as Exhibit 1 are true or accurate. Further answering, Defendants deny that they violated any  
10 federal law or California state law or otherwise violated any law related to any content they placed in  
11 any public forum hosted on the various social media platforms at issue in this litigation whether  
12 related to Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff  
13 was harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to  
14 any relief whatsoever. Except as expressly stated, Defendants deny each and every remaining  
15 allegation in Paragraph 39.

16 40. Answering Paragraph 40 of the Complaint, Defendants admit that, at the time  
17 Plaintiff filed her Complaint, the September 7, 2023, video Defendants posted on their YouTube  
18 channel had been viewed by almost 8,000 people. Except as expressly stated, Defendants deny each  
19 and every remaining allegation in Paragraph 40.

20 41. Answering Paragraph 41 of the Complaint, Defendants admit the May 18, 2024,  
21 video posted on Defendants’ YouTube channel reflects Defendants’ fair comment and opinions  
22 related to Plaintiff’s activities that signify her potential connection to the Russian government. To  
23 the extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants  
24 deny that Plaintiff’s characterization, translation, and/or summary of the matters attached as Exhibit  
25 1 are true or accurate. Further answering, Defendants deny that they violated any federal law or  
26 California state law or otherwise violated any law related to any content they placed in any public  
27 forum hosted on the various social media platforms at issue in this litigation whether related to  
28 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed

1 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
 2 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in  
 3 Paragraph 41.

4       42. Answering Paragraph 42 of the Complaint, Defendants admit the May 18, 2024 video  
 5 posted on Defendants' YouTube channel included a thumbnail consisting of a composite of a photo  
 6 of Plaintiff and one of Plaintiff's associate, Kateryna Panova, satirically modified to include the  
 7 uniform of a defunct USSR interior ministry called NKVD (The People's Commissariat for Internal  
 8 Affairs) and the mostly obscured outline of a Russian police emblem, as part of Defendants' fair  
 9 comment and opinions related to Plaintiff's activities that signify her potential connection to the  
 10 Russian government. Further answering, Defendants deny that they violated any federal law or  
 11 California state law or otherwise violated any law related to any content they placed in any public  
 12 forum hosted on the various social media platforms at issue in this litigation whether related to  
 13 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed  
 14 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
 15 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in  
 16 Paragraph 42.

17       43. Answering Paragraph 43 of the Complaint, Defendants deny each and every  
 18 allegation set forth in Paragraph 43. Defendants deny that the translated language included in  
 19 Paragraph 43 is correct or that it is a true representation of what Defendants posted on their social  
 20 media accounts. Further answering, Defendants deny that they violated any federal law or California  
 21 state law or otherwise violated any law related to any content they placed in any public forum hosted  
 22 on the various social media platforms at issue in this litigation whether related to Plaintiff or  
 23 otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed as a result  
 24 of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever.

25       44. Answering Paragraph 44 of the Complaint, Defendants deny each and every  
 26 allegation set forth in Paragraph 44. Paragraph 44 also asserts purported recitations and legal  
 27 conclusions of law to which no response is required. To the extent a response is required,  
 28 Defendants further deny the allegations contained in Paragraph 44.

1       45. Answering Paragraph 45 of the Complaint, Defendants deny each and every  
2 allegation set forth in Paragraph 45. Paragraph 45 also asserts purported recitations and legal  
3 conclusions of law to which no response is required. To the extent a response is required,  
4 Defendants further deny the allegations contained in Paragraph 45.

5       46. Answering Paragraph 46 of the Complaint, Defendants deny each and every  
6 allegation set forth in Paragraph 46. Paragraph 46 also asserts purported recitations and legal  
7 conclusions of law to which no response is required. To the extent a response is required,  
8 Defendants further deny the allegations contained in Paragraph 46 including, but not limited to  
9 allegations concerning Defendant Kiselev's knowledge concerning Plaintiff's subjective motivations  
10 for her actions.

11       47. Answering Paragraph 47 of the Complaint, Defendants state that Plaintiff's  
12 allegations in Paragraph 47 are legal conclusions and/or legal descriptions for which no response is  
13 required. To the extent a response is required, Defendants deny the allegations contained in  
14 Paragraph 47 including, but not limited to, that Defendants had or were conducting a "smear  
15 campaign" of any sort.

16       48. Answering Paragraph 48, including footnote 2 of the Complaint, Defendants admit  
17 that on March 15, 2024, they posted a video on their YouTube channel containing Defendants' fair  
18 comment and opinions related to Plaintiff's activities that signify her potential connection to the  
19 Russian government. Except as expressly stated, Defendants deny each and every allegation,  
20 including the allegations in footnote 2, set forth in Paragraph 48. Defendants further deny that the  
21 translated language included in Paragraph 48 is correct or that it is a true representation of what  
22 either Defendant Kiselev or Defendant Burtsev posted on Defendants' Instagram account or stated in  
23 the videos on the Defendants' YouTube channel. To the extent the allegations in the Complaint  
24 refer, incorporate, or are based on Exhibit 1, Defendants deny that Plaintiff's characterization,  
25 translation, and/or summary of the matters attached as Exhibit 1 is true or accurate. Paragraph 48  
26 also asserts purported recitations and legal conclusions of law to which no response is required. To  
27 the extent a response is required, Defendants deny the allegations contained in Paragraph 48.  
28 Further answering, Defendants deny that they violated any federal law or California state law or

1 otherwise violated any law related to any content they placed in any public forum hosted on the  
2 various social media platforms at issue in this litigation whether related to Plaintiff or otherwise.  
3 Defendants deny they committed defamation, deny that Plaintiff was harmed as a result of any  
4 conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever.

5       49. Answering Paragraph 49 of the Complaint, Defendants admit there are hashtags  
6 attached to posts they made on Defendants' Instagram account. Defendants deny that the translated  
7 language included in Paragraph 48 is correct or that it is a true representation of what either  
8 Defendant Kiselev or Defendant Burtsev posted on Defendants' Instagram account. Except as  
9 expressly stated, Defendants deny each and every remaining allegation in Paragraph 49.

10       50. Answering Paragraph 50 of the Complaint, Defendants deny each and every  
11 allegation set forth in Paragraph 50. Defendants further deny that the translated language included in  
12 Paragraph 50 is correct or that it is a true representation of what Defendants posted on Defendants'  
13 website or stated in the videos on the Defendants' YouTube channel. Further answering, Defendants  
14 deny that they violated any federal law or California state law or otherwise violated any law related  
15 to any content they placed in any public forum hosted on the various social media platforms at issue  
16 in this litigation whether related to Plaintiff or otherwise. Defendants deny they committed  
17 defamation, deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and  
18 deny that Plaintiff is entitled to any relief whatsoever.

19       51. Answering Paragraph 51 of the Complaint, Defendants admit they are in possession  
20 of documentation that supports Defendants' fair comment and opinions they expressed in their May  
21 18, 2024, video posted on Defendants YouTube channel related to Plaintiff's activities that signify  
22 her potential connection to the Russian government. Defendants deny that the translated language  
23 included in Paragraph 51 is correct or that it is a true representation of what either Defendant Kiselev  
24 or Defendant Burtsev stated. in the videos on the Defendants' YouTube channel. Further answering,  
25 Defendants deny that they violated any federal law or California state law or otherwise violated any  
26 law related to any content they placed in any public forum hosted on the various social media  
27 platforms at issue in this litigation whether related to Plaintiff or otherwise. Defendants deny they  
28 committed defamation, deny that Plaintiff was harmed as a result of any conduct by any of the

1 Defendants, and deny that Plaintiff is entitled to any relief whatsoever. Except as expressly stated,  
2 Defendants deny each and every remaining allegation in Paragraph 51.

3       52. Answering Paragraph 52 of the Complaint, Defendants admit that the videos  
4 Defendants posted to their YouTube channel and referenced in Plaintiff's Complaint, reflect  
5 Defendants' fair comment and opinions, and include questions Defendants posed to their subscribers  
6 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
7 government. Defendants admit that Valeriy Katkov had, in the past, initiated legal proceedings  
8 against Defendant Kiselev in the Moscow courts but Katkov was unsuccessful because Defendant  
9 Kiselev was judged to be the prevailing party in those proceedings in September 2021. Defendants  
10 state that following his defeat in Moscow courts, Katkov initiated an appeal, which was also  
11 unsuccessful for Katkov culminating in dismissal of Katkov's lawsuit against Defendant Kiselev in  
12 July 2024. Defendants deny that Katkov was suing Defendant Kiselev at the time that Plaintiff  
13 alleges she contacted Katkov in September 2023. Paragraph 52 also asserts purported recitations  
14 and legal conclusions of law to which no response is required. To the extent a response is required,  
15 Defendants deny the allegations contained in Paragraph 52. Defendants deny that the translated  
16 language included in Paragraph 52 is correct or that it is a true representation of what Defendants  
17 posted on their social media accounts. Further answering, Defendants deny that they violated any  
18 federal law or California state law or otherwise violated any law related to any content they placed in  
19 any public forum hosted on the various social media platforms at issue in this litigation whether  
20 related to Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff  
21 was harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to  
22 any relief whatsoever. Except as expressly stated, Defendants deny each and every remaining  
23 allegation in Paragraph 52.

24       53. Answering Paragraph 53 of the Complaint, Defendants admit that the videos  
25 Defendants posted to their YouTube channel and referenced in Plaintiff's Complaint, reflect  
26 Defendants' fair comment and opinions, and include questions Defendants posed to their subscribers  
27 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian  
28 government. Defendants deny that the translated language included in Paragraph 53 is correct or

1 that it is a true representation of what either Defendant Kiselev or Defendant Burtsev stated in the  
2 videos on the Defendants' YouTube channel. Further answering, Defendants deny that they violated  
3 any federal law or California state law or otherwise violated any law related to any content they  
4 placed in any public forum hosted on the various social media platforms at issue in this litigation  
5 whether related to Plaintiff or otherwise. Defendants deny they committed defamation, deny that  
6 Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is  
7 entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and every  
8 remaining allegation in Paragraph 53.

9       54. Answering Paragraph 54 of the Complaint, Defendants admit the allegations set forth  
10 in Paragraph 54.

11       55. Answering Paragraph 55 of the Complaint, Defendants are without sufficient  
12 knowledge or information to form a belief as to the truth of any of the allegations in this Paragraph  
13 and, on that basis, deny each and every allegation in Paragraph 55.

14       56. Answering Paragraph 56 of the Complaint, Defendants state that Plaintiff's  
15 allegations are legal conclusions and/or legal descriptions for which no response is required. To the  
16 extent a response is required, Defendants deny that they violated any federal law or California state  
17 law or otherwise violated any law related to any content they placed in any public forum hosted on  
18 the various social media platforms at issue in this litigation whether related to Plaintiff or otherwise.  
19 Defendants deny they committed defamation, deny that Plaintiff was harmed as a result of any  
20 conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever. Except  
21 as expressly stated, Defendants deny each and every remaining allegation in Paragraph 56.

22       57. Answering Paragraph 57 of the Complaint, Defendants state that Plaintiff's  
23 allegations are legal conclusions and/or legal descriptions for which no response is required. To the  
24 extent a response is required, Defendants deny that they violated any federal law or California state  
25 law or otherwise violated any law related to any content they placed in any public forum hosted on  
26 the various social media platforms at issue in this litigation whether related to Plaintiff or otherwise.  
27 Defendants deny they committed defamation, deny that Plaintiff was harmed as a result of any  
28 conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever. Except

1 as expressly stated, Defendants deny the allegations contained in Paragraph 57.

2       58. Answering Paragraph 58 of the Complaint, Defendants state that Paragraph 58 asserts  
3 purported recitations and legal conclusions of law to which no response is required. To the extent a  
4 response is required, Defendants deny each and every allegation contained in Paragraph 58.

5       59. Answering Paragraph 59 of the Complaint, Defendants state that Paragraph 59 asserts  
6 purported recitations and legal conclusions of law to which no response is required. To the extent a  
7 response is required, Defendants deny each and every allegation contained in Paragraph 59.

8       60. Answering Paragraph 60 of the Complaint, Defendants state that Paragraph 60 asserts  
9 purported recitations and legal conclusions of law to which no response is required. To the extent a  
10 response is required, Defendants deny each and every allegation contained in Paragraph 60 with the  
11 exception that Defendants admit Russians seeking asylum in the United States could face serious  
12 harm if their information and the basis for their asylum requests were leaked to the Russian  
13 government. Defendants deny each and every remaining allegation in Paragraph 60.

14       61. Answering Paragraph 61 of the Complaint, Defendants state that Paragraph 61 asserts  
15 purported recitations and legal conclusions of law to which no response is required. To the extent a  
16 response is required, Defendants deny each and every allegation contained in Paragraph 61.

17       62. Answering Paragraph 62 of the Complaint, Defendants state that Answering  
18 Paragraph 62 of the Complaint, Defendants deny each and every remaining allegation in Paragraph  
19 62.

20       63. Answering Paragraph 63 of the Complaint, Defendants state that Paragraph 63 asserts  
21 purported recitations and legal conclusions of law to which no response is required. To the extent a  
22 response is required, Defendants deny each and every allegation contained in Paragraph 63. Further  
23 answering, Defendants deny that they violated any federal law or California state law or otherwise  
24 violated any law related to any content they placed in any public forum hosted on the various social  
25 media platforms at issue in this litigation whether related to Plaintiff or otherwise. Defendants deny  
26 they committed defamation, deny that Plaintiff was harmed as a result of any conduct by any of the  
27 Defendants, and deny that Plaintiff is entitled to any relief whatsoever.

28 //

## **FIRST CLAIM FOR RELIEF**

### **(Defamation *Per Se* – Against All Defendants)**

Defendants incorporate herein by reference its responses set forth in Paragraph Nos. 1 through 63 of this Answer as if fully incorporated herein.

5       64. Answering Paragraph 64 of the Complaint, Defendants admit they posted the  
6 September 7, 2023, and May 18, 2024, videos on their YouTube channel to express Defendants' fair  
7 comment and opinions related to Plaintiff's activities that signify her potential connection to the  
8 Russian government. Defendants are unclear as to which specific video Plaintiff references as the  
9 March Video, but fails to identify, in Paragraph 64. Defendants admit they posted an interview with  
10 Tatyana Tulin on March 15, 2024, on their YouTube channel which discussed the Rubic.us website  
11 and its owner Ekaterina Panova's claim that Ms. Tulin is a spy and that said interview included  
12 Defendants' fair comment and opinions related to Plaintiff's activities that signify Plaintiff's  
13 potential connection to the Russian government. Because Defendants are unclear which specific  
14 video Plaintiff labels as the March Video in the Complaint, Defendants are without sufficient  
15 knowledge or information to form a belief as to the truth of any of the allegations related to the  
16 March Video in this Paragraph and, on that basis, deny the allegations related to the March Video in  
17 Paragraph 64. Except as expressly stated, Defendants deny each and every remaining allegation in  
18 Paragraph 64.

19       65. Answering Paragraph 65 of the Complaint, Defendants assert that Plaintiff's  
20 allegations in Paragraph 65 are legal conclusions and/or legal descriptions for which no response is  
21 required. To the extent a response is required, Defendants admit that Plaintiff complains of events  
22 and/or statements occurring in a public forum regarding issues that are of interest to the general  
23 public. Except as expressly stated, Defendants deny each and every allegation in Paragraph 65.

24       66. Answering Paragraph 66 of the Complaint, Defendants assert that Plaintiff's  
25 allegations in Paragraph 66 are legal conclusions and/or legal descriptions for which no response is  
26 required. To the extent a response is required, Defendants deny the allegations contained in  
27 Paragraph 66.

28 || 67. Answering Paragraph 67 of the Complaint, Defendants state that Plaintiff's

1 allegations in Paragraph 67 are legal conclusions and/or legal descriptions for which no response is  
2 required. To the extent a response is required, Defendants deny the allegations contained in  
3 Paragraph 67.

4 68. Answering Paragraph 68 of the Complaint, Defendants assert that Plaintiff's  
5 allegations in Paragraph 68 are legal conclusions and/or legal descriptions for which no response is  
6 required. To the extent a response is required, Defendants deny the allegations contained in  
7 Paragraph 68.

8 69. Answering Paragraph 69 of the Complaint, Defendants assert that Plaintiff's  
9 allegations in Paragraph 69 are legal conclusions and/or legal descriptions for which no response is  
10 required. To the extent a response is required, Defendants deny the allegations contained in  
11 Paragraph 69.

12 70. Answering Paragraph 70 of the Complaint, Defendants assert that Plaintiff's  
13 allegations in Paragraph 70 are legal conclusions and/or legal descriptions for which no response is  
14 required. To the extent a response is required, Defendants deny the allegations contained in  
15 Paragraph 70.

16 71. Answering Paragraph 71 of the Complaint, Defendants assert that Plaintiff's  
17 allegations in Paragraph 71 are legal conclusions and/or legal descriptions for which no response is  
18 required. To the extent a response is required, Defendants deny the allegations contained in  
19 Paragraph 71. Defendants further deny they committed defamation, deny that Plaintiff was harmed  
20 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
21 whatsoever.

22 72. Answering Paragraph 72 of the Complaint, Defendants assert that Plaintiff's  
23 allegations in Paragraph 72 are legal conclusions and/or legal descriptions for which no response is  
24 required. To the extent a response is required, Defendants deny the allegations contained in  
25 Paragraph 72. Defendants further deny they committed defamation, deny that Plaintiff was harmed  
26 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
27 whatsoever.

28 73. Answering Paragraph 73 of the Complaint, Defendants assert that Plaintiff's

1 allegations in Paragraph 73 are legal conclusions and/or legal descriptions for which no response is  
 2 required. To the extent a response is required, Defendants deny the allegations contained in  
 3 Paragraph 73. Defendants further deny they committed defamation, deny that Plaintiff was harmed  
 4 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
 5 whatsoever.

6 **SECOND CLAIM FOR RELIEF**

7 **(Defamation *Per Quod* – Against All Defendants)**

8 Defendants incorporate herein by reference its responses set forth in Paragraph Nos. 1  
 9 through 73 of this Answer as if fully incorporated herein.

10 74. Answering Paragraph 74 of the Complaint, Defendants admit they posted the  
 11 September 7, 2023, and May 18, 2024, videos on their YouTube channel to express Defendants' fair  
 12 comment and opinions related to Plaintiff's activities that signify her connection to the Russian  
 13 government. Defendants are unclear as to which specific video Plaintiff references as the March  
 14 Video, but fails to identify, in Paragraph 74. Defendants admit they posted an interview with  
 15 Tatyana Tulin on March 15, 2024 on their YouTube channel which discussed the Rubic.us website  
 16 and its owner Ekaterina Panova's claim that Ms. Tulin is a spy, and included Defendants' fair  
 17 comment and opinions related to Plaintiff's activities that signify Plaintiff's potential connection to  
 18 the Russian government. Because Defendants are unclear which specific video Plaintiff labels as  
 19 the March Video in the Complaint, Defendants are without sufficient knowledge or information to  
 20 form a belief as to the truth of any of the allegations related to the March Video in this Paragraph  
 21 and, on that basis, deny the allegations related to the March Video in Paragraph 74. Except as  
 22 expressly stated, Defendants deny each and every remaining allegation in Paragraph 74.

23 75. Answering Paragraph 75 of the Complaint, Defendants assert that Plaintiff's  
 24 allegations in Paragraph 75 are legal conclusions and/or legal descriptions for which no response is  
 25 required. To the extent a response is required, Defendants admit that Plaintiff complains of events  
 26 and/or statements occurring in a public forum regarding issues that are of interest to the general  
 27 public. Except as expressly stated, Defendants deny each and every allegation contained in  
 28 Paragraph 75.

1       76. Answering Paragraph 76 of the Complaint, Defendants assert that Plaintiff's  
2 allegations in Paragraph 76 are legal conclusions and/or legal descriptions for which no response is  
3 required. To the extent a response is required, Defendants deny the allegations contained in  
4 Paragraph 76.

5       77. Answering Paragraph 77 of the Complaint, Defendants assert that Plaintiff's  
6 allegations in Paragraph 77 are legal conclusions and/or legal descriptions for which no response is  
7 required. To the extent a response is required, Defendants deny the allegations contained in  
8 Paragraph 77.

9       78. Answering Paragraph 78 of the Complaint, Defendants assert that Plaintiff's  
10 allegations in Paragraph 78 are legal conclusions and/or legal descriptions for which no response is  
11 required. To the extent a response is required, Defendants deny the allegations contained in  
12 Paragraph 78.

13       79. Answering Paragraph 79 of the Complaint, Defendants assert that Plaintiff's  
14 allegations in Paragraph 79 are legal conclusions and/or legal descriptions for which no response is  
15 required. To the extent a response is required, Defendants deny the allegations contained in  
16 Paragraph 79.

17       80. Answering Paragraph 80 of the Complaint, Defendants assert that Plaintiff's  
18 allegations in Paragraph 80 are legal conclusions and/or legal descriptions for which no response is  
19 required. To the extent a response is required, Defendants deny the allegations contained in  
20 Paragraph 80.

21       81. Answering Paragraph 81 of the Complaint, Defendants are without sufficient  
22 knowledge or information to form a belief as to the truth of any of the allegations in this Paragraph  
23 and, on that basis, deny each and every allegation in Paragraph 81. Paragraph 81 also asserts  
24 purported recitations and legal conclusions of law to which no response is required. To the extent a  
25 response is required, Defendants further deny the allegations contained in Paragraph 81.

26       82. Answering Paragraph 82 of the Complaint, Defendants assert that Plaintiff's  
27 allegations in Paragraph 82 are legal conclusions and/or legal descriptions for which no response is  
28 required. To the extent a response is required, Defendants deny the allegations contained in

1 Paragraph 82. Defendants further deny they committed defamation, deny that Plaintiff was harmed  
2 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief  
3 whatsoever.

4       83. Answering Paragraph 83 of the Complaint, Defendants assert that Plaintiff's  
5 allegations in Paragraph 83 are legal conclusions and/or legal descriptions for which no response is  
6 required. To the extent a response is required, Defendants deny the allegations contained in  
7 Paragraph 83.

## **PRAAYER FOR RELIEF**

9       84. To the extent the Prayer for Relief section of the Complaint requires a response,  
10 Defendants deny each and every allegation, claim, and demand contained therein, and further deny  
11 that Plaintiff was damaged or injured in any way, or that she was damaged or injured as a result of  
12 any of the Defendants' acts, omissions, or representations, and further respond that Plaintiff is not  
13 entitled to the relief demanded therein.

## II. AFFIRMATIVE DEFENSES

15 Without assuming the burden of proof where it otherwise lies with Plaintiff, Defendants  
16 allege the following affirmative defenses:

## **FIRST AFFIRMATIVE DEFENSE**

18        85.     The Complaint fails to state facts sufficient to constitute a cause of action against any  
19 of the Defendants.

## **SECOND AFFIRMATIVE DEFENSE**

21 86. Plaintiff's claims are barred, in whole or in part, because Plaintiff lacks standing to  
22 assert the claims and/or because the claims are more properly asserted by another.

### **THIRD AFFIRMATIVE DEFENSE**

24 87. Plaintiff's claims are barred in whole or in part because Plaintiff failed to join one or  
25 more indispensable party(ies) as required by Cal. Civ. Proc. Code § 389 and/or Federal Rule of Civil  
26 Procedure, Rule 19.

## **FOURTH AFFIRMATIVE DEFENSE**

28 88. Plaintiff's claims are barred, in whole or in part, because any alleged statements made

1 by Defendants concerning Plaintiff were true or substantially true.

2 **FIFTH AFFIRMATIVE DEFENSE**

3 89. Plaintiff's claims are barred, in whole or in part, because Defendants' conduct was  
4 reasonable, legally justified, and/or privileged and cannot give rise to any liability on Defendants'  
5 part.

6 **SIXTH AFFIRMATIVE DEFENSE**

7 90. Plaintiff's claims are barred, in whole or in part, because any statements and/or  
8 alleged implications that form the basis for Plaintiff's claims do not assert verifiably false facts,  
9 and/or constitute rhetorical hyperbole or subjective statements of opinion, and thus cannot give rise  
10 to any claim against Defendants.

11 **SEVENTH AFFIRMATIVE DEFENSE**

12 91. Plaintiff's claims are barred, in whole or in part, based upon consent.

13 **EIGHTH AFFIRMATIVE DEFENSE**

14 92. Plaintiff's claims are barred, in whole or in part, because in every action challenged in  
15 the Complaint, Defendants acted at all times in good faith based solely on legitimate business  
16 reasons wholly unrelated to any statutorily impermissible factors.

17 **NINTH AFFIRMATIVE DEFENSE**

18 93. Plaintiff's Complaint is barred, in whole or in part, by the First and Fourteenth  
19 Amendments to the U.S. Constitution and by Article I, § 2(a) of the California Constitution.

20 **TENTH AFFIRMATIVE DEFENSE**

21 94. All of Plaintiff's claims against Defendants arise from Defendants' exercise of each  
22 of their right of free speech, or acts in furtherance of that right, in connection with an issue of public  
23 interest, and thus fall within the scope of California Code of Civil Procedure § 425.16. Because  
24 Plaintiff cannot meet her burden of demonstrating a probability that she will prevail on each of her  
25 claims (or any claim), the claims must be stricken, and Defendants must be awarded their attorneys'  
26 fees and costs incurred in defending against those claims.

27 **ELEVENTH AFFIRMATIVE DEFENSE**

28 95. All of Plaintiff's claims against Defendant Kiselev and Defendant Burtsev arise from

1 said Defendants' exercise of each of their right of petition, or acts in furtherance of that right, and  
 2 thus fall within the scope of California Code of Civil Procedure § 425.16. Because Plaintiff cannot  
 3 meet her burden of demonstrating a probability that she will prevail on each of her claims (or any  
 4 claim), the claims must be stricken, and Defendants must be awarded their attorneys' fees and costs  
 5 incurred in defending against those claims.

6 **TWELFTH AFFIRMATIVE DEFENSE**

7 96. Plaintiff's Complaint is barred, in whole or in part, because Defendants' speech  
 8 involved matters of legitimate concern to the public, the publication of which is privileged under the  
 9 First and Fourteenth Amendments to the U.S. Constitution, and Article I, § 2 of the California  
 10 Constitution, and therefore cannot provide a basis for any recovery by the Plaintiff.

11 **THIRTEENTH AFFIRMATIVE DEFENSE**

12 97. Plaintiff's claims are barred, in whole or in part, because Defendants, and each of  
 13 them, have not acted with the requisite degree of knowledge, intent, or fault.

14 **FOURTEENTH AFFIRMATIVE DEFENSE**

15 98. Plaintiff's claims are barred, in whole or in part, to the extent that they arise from  
 16 conduct not attributable to the Defendants.

17 **FIFTEENTH AFFIRMATIVE DEFENSE**

18 99. Plaintiff's claims are barred, in whole or in part, because some or all of the allegedly  
 19 defamatory statements and/or alleged implications that form the basis for Plaintiff's claims are not  
 20 "of and concerning" Plaintiff, and thus cannot give rise to a claim by Plaintiff against Defendants.

21 **SIXTEENTH AFFIRMATIVE DEFENSE**

22 100. Plaintiff's claims are barred, in whole or in part, because some or all of the allegedly  
 23 defamatory statements and/or alleged implications that form the basis for Plaintiff's claims are not  
 24 reasonably susceptible to a defamatory meaning, and thus cannot give rise to any claim against  
 25 Defendants.

26 **SEVENTEENTH AFFIRMATIVE DEFENSE**

27 101. Plaintiff's claims are barred, in whole or in part, by the fair comment privilege.

28 //

## **EIGHTEENTH AFFIRMATIVE DEFENSE**

102. Plaintiff's claims are barred, in whole or in part, because to the extent that any statements or alleged implications that form the basis for Plaintiff's claims could be interpreted as asserting verifiable facts, those facts are substantially true, and thus cannot give rise to any claim against Defendants.

## **NINETEENTH AFFIRMATIVE DEFENSE**

103. Plaintiff's claims are barred, in whole or in part, because the subject of the alleged statements or alleged implications that form the basis for Plaintiff's claims is related to an issue of public interest, and Plaintiff cannot meet her burden of showing that the challenged statements or implications are materially false.

## **TWENTIETH AFFIRMATIVE DEFENSE**

104. Plaintiff's claims are barred, in whole or in part, because the subject of the alleged statements or alleged implications that form the basis for Plaintiff's claims is related to an issue of public interest, and Plaintiff cannot meet her burden of showing that Defendants acted with the requisite degree of fault.

## **TWENTY-FIRST AFFIRMATIVE DEFENSE**

105. Plaintiff's claims are barred, in whole or in part, because Plaintiff is a public figure and Plaintiff did not adequately allege, and cannot prove, that Defendants published any false statement or implication about Plaintiff with constitutional actual malice.

## **TWENTY-SECOND AFFIRMATIVE DEFENSE**

106. Plaintiff's claims are barred, in whole or in part, by the common interest privilege under California Civil Code § 47(c).

## **TWENTY-THIRD AFFIRMATIVE DEFENSE**

107. Plaintiff's claims are barred, in whole or in part, by the fair report privilege under the First Amendment to the U.S. Constitution, California Civil Code § 47(d) and the common law.

**TWENTY-FOURTH AFFIRMATIVE DEFENSE**

108. Plaintiff's claims are barred, in whole or in part, because the statements or alleged implications that form the basis for her claims are not defamatory per se, and Plaintiff has not

1 alleged special damages with sufficient particularity and cannot prove special damages.

2 **TWENTY-FIFTH AFFIRMATIVE DEFENSE**

3 109. Plaintiff's claims are barred, in whole or in part, because the statements or alleged  
4 implications that form the basis for her claims are not defamatory *per quod*, and Plaintiff has not  
5 alleged special damages with sufficient particularity and cannot prove special damages.

6 **TWENTY-SIXTH AFFIRMATIVE DEFENSE**

7 110. Plaintiff's claims are barred, in whole or in part, by California's retraction-demand  
8 statute, Civil Code § 48a, because Plaintiff failed to properly demand a retraction under California  
9 law, has not alleged special damages with sufficient particularity, and cannot prove special damages  
10 resulting from any actionable statement about the Plaintiff.

11 **TWENTY-SEVENTH AFFIRMATIVE DEFENSE**

12 111. To the extent that Plaintiff's Complaint could be construed to assert any cause of  
13 action other than defamation, any such claim merely duplicates Plaintiff's defamation claims and is  
14 barred by the same defenses.

15 **TWENTY-EIGHTH AFFIRMATIVE DEFENSE**

16 112. Plaintiff's claims are barred, in whole or in part, by the Uniform Single Publication  
17 Act, Cal. Civil Code § 3425.3.

18 **TWENTY-NINTH AFFIRMATIVE DEFENSE**

19 113. Plaintiff's claims are barred, in whole or in part, by the incremental harm doctrine.

20 **THIRTIETH AFFIRMATIVE DEFENSE**

21 114. Plaintiff's claims are barred, in whole or in part, by the doctrine of neutral reportage.

22 **THIRTY-FIRST AFFIRMATIVE DEFENSE**

23 115. Plaintiff's claims are barred, in whole or in part, by the equitable doctrines of laches,  
24 waiver, estoppel, and unclean hands.

25 **THIRTY-SECOND AFFIRMATIVE DEFENSE**

26 116. Plaintiff's claims are barred, in whole or in part, because Plaintiff's damages, if any  
27 are vague, uncertain, and speculative.

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### **THIRTY-THIRD AFFIRMATIVE DEFENSE**

117. To the extent Plaintiff's alleged harm includes claims for mental and emotional distress, or other physical, emotional, or mental injury, those claims are barred by the exclusive remedy provisions of the California Workers' Compensation Act (Cal. Lab. Code §§ 3600(a) *et seq.*) and/or Section 29(6) of the New York Workers' Compensation Law (*see also, Siegel v. Garibaldi, 158 A.D.3d 1049 (3rd Dep't 2018)*).

## **THIRTY-FOURTH AFFIRMATIVE DEFENSE**

118. Plaintiff's claims are barred, in whole or in part, because any damages allegedly suffered by Plaintiff, if any, were not proximately caused by Defendants.

## **THIRTY-FIFTH AFFIRMATIVE DEFENSE**

119. Plaintiff's claims are barred, in whole or in part, because of Plaintiff's failure to mitigate her alleged damages, if any.

## **THIRTY-SIXTH AFFIRMATIVE DEFENSE**

120. Plaintiff's claims are barred, in whole or in part, because any damages allegedly suffered by Plaintiff were the result, in whole or in part, of Plaintiff's own legal fault, and any recovery should be reduced in proportion to Plaintiff's fault.

## **THIRTY-SEVENTH AFFIRMATIVE DEFENSE**

121. Defendants, and each of them, deny that Plaintiff suffered any damages as a consequence of any actionable conduct by Defendants. If, however, Plaintiff has suffered any damages, any damages allegedly suffered by Plaintiff were either wholly or in part the legal fault of persons, firms, corporations, or entities other than Defendants, and that legal fault reduces the percentage of responsibility, if any, which is to be borne by Defendants.

## **THIRTY-EIGHTH AFFIRMATIVE DEFENSE**

122. Plaintiff's claims are barred, in whole or in part, by Plaintiff's misrepresentation, fraud, deception, and/or deceptive conduct, and by misrepresentations and/or actionable omissions made by Plaintiff in connection with matters related to or arising out of Plaintiff's relationship and dealings with Defendants, and/or events and allegations referenced in the Complaint.

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## THIRTY-NINTH AFFIRMATIVE DEFENSE

123. Plaintiff's claims are barred, in whole or in part, or limited, to the extent that Plaintiff and/or its partners, agents, and others acting in concert with Plaintiff or under its direction has or have engaged in unfair and/or anti-competitive conduct.

## **FOURTIETH AFFIRMATIVE DEFENSE**

124. Plaintiff's claims are barred, in whole or in part, because any award of damages against Defendants would unjustly enrich Plaintiff.

## **FORTY-FIRST AFFIRMATIVE DEFENSE**

125. Defendants, and each of them, allege, upon information and belief, that if there presently exists or ever existed, any or all of the alleged rights, claims or obligations that Plaintiff seeks by way of her Complaint, such claims or obligations are unenforceable by reason of unilateral and/or mutual mistake.

## **FORTY-SECOND AFFIRMATIVE DEFENSE**

126. If Plaintiff is entitled to recover any damages from Defendants, which Defendants deny, Plaintiff is limited by California's retraction-demand statute, Civil Code § 48a, to special damages resulting from any actionable statement about Plaintiff, due to Plaintiff's failure to properly demand a retraction under California law.

## **FORTY-THIRD AFFIRMATIVE DEFENSE**

127. Plaintiff is not entitled to punitive or exemplary damages because the statements and/or alleged implications that form the basis for Plaintiff's claims involve matters of public concern and no statement or implication about Plaintiff was published with the requisite degree of fault.

#### **FORTY-FOURTH AFFIRMATIVE DEFENSE**

128. Plaintiff is barred, in whole or in part, from recovering punitive damages because Defendants at all times made a good faith effort to comply with the law, and any actions taken with respect to Plaintiff were done without malice, conscious disregard or reckless indifference to Plaintiff's rights.

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## **FORTY-FIFTH AFFIRMATIVE DEFENSE**

2 129. Plaintiff's Complaint, to the extent that it seeks punitive damages against Defendants,  
3 violates Defendants', and each of their, rights to procedural and substantive due process under the  
4 Fourteenth Amendment to the United States Constitution and Article I, § 7 of the California  
5 Constitution because, among other things, of the vagueness and uncertainty of the criteria for the  
6 imposition of punitive damages and the lack of fair notice of what conduct will result in the  
7 imposition of such damages. Therefore, Plaintiff cannot recover punitive damages against  
8 Defendants in this case.

## **FORTY-SIXTH AFFIRMATIVE DEFENSE**

10 130. Plaintiff's Complaint, to the extent that it seeks punitive damages against Defendants,  
11 violates Defendants', and each of their, rights to procedural and substantive due process under the  
12 Fifth and Fourteenth Amendments to the United States Constitution and Article I, § 7 of the  
13 California Constitution because, among other things, there is no legitimate state interest in punishing  
14 Defendants' allegedly unlawful conduct at issue here, or in deterring its possible repetition.  
15 Therefore, Plaintiff cannot recover punitive damages against Defendants in this case.

## **FORTY-SEVENTH AFFIRMATIVE DEFENSE**

17 131. Plaintiff's Complaint, to the extent that it seeks punitive damages against Defendants  
18 violates Defendants', and each of their, rights to procedural and substantive due process under the  
19 Fifth and Fourteenth Amendments to the United States Constitution and Article I, § 7 of the  
20 California Constitution because, among other things, the alleged wrongful conduct at issue here is  
21 not sufficiently reprehensible to warrant any punitive damage recovery. Therefore, Plaintiff cannot  
22 recover punitive damages against Defendants in this case.

## **FORTY-EIGHTH AFFIRMATIVE DEFENSE**

24 132. Plaintiff's Complaint, to the extent that it seeks punitive damages against Defendants  
25 violates Defendants', and each of their, rights to procedural and substantive due process under the  
26 Fifth and Fourteenth Amendments to the United States Constitution and Article I, § 7 of the  
27 California Constitution because, among other things, any punitive damage award would be grossly  
28 out of proportion to the alleged wrongful conduct at issue here. Therefore, Plaintiff cannot recover

1 punitive damages against Defendants in this case.

2 **FORTY-NINTH AFFIRMATIVE DEFENSE**

3 133. Plaintiff's Complaint, to the extent that it seeks punitive damages against Defendants,  
4 violates Defendants', and each of their, rights to protection from "excessive fines" under Article 1, §  
5 17 of the California Constitution, and it violates Defendants', and each of their, rights to substantive  
6 due process as provided in the Fifth and Fourteenth Amendments to the United States Constitution  
7 and Article 1, § 7 of the California Constitution. To the extent that the Complaint seeks punitive  
8 damages authorized under Civil Code § 3294 or any other California law, no punitive damages may  
9 constitutionally be awarded because that statute is unconstitutional under the Fifth and Fourteenth  
10 Amendments to the United States Constitution and Article I, § 7 and Article IV, § 16 of the  
11 California Constitution because neither it, nor any other law of California, establishes the maximum  
12 punitive damages award which may be imposed in this case. Therefore, Plaintiff cannot recover  
13 punitive damages against Defendants in this case.

14 **FIFTIETH AFFIRMATIVE DEFENSE**

15 134. The imposition of punitive damages against Defendants would deny equal protection  
16 of the laws, in violation of the Fifth and Fourteenth Amendments to the United States Constitution  
17 and Article I, § 7 and Article IV, § 16 of the California Constitution. Therefore, Plaintiff cannot  
18 recover punitive damages against Defendants.

19 **FIFTY-FIRST AFFIRMATIVE DEFENSE**

20 135. Plaintiff's request for injunctive relief is barred, in whole or in part, because any such  
21 injunction would be an unconstitutional prior restraint on speech in violation of the First and  
22 Fourteenth Amendments to the United States Constitution and Article I, § 2(a) of the California  
23 Constitution.

24 **FIFTY-SECOND AFFIRMATIVE DEFENSE**

25 136. Plaintiff's request for injunctive relief is barred, in whole or in part, because it is  
26 overbroad.

27 **FIFTY-THIRD AFFIRMATIVE DEFENSE**

28 137. Defendants have insufficient knowledge or information upon which to form a belief

1 as to whether they may have additional, as yet unstated, separate defenses available to them.  
2 Defendants, and each of them, reserve their right to assert additional separate defenses in the event  
3 discovery indicates that such defenses would be appropriate. Defendants, and each of them, further  
4 reserve the right to supplement, amend, or modify their separate and additional defenses, as  
5 appropriate, based on information obtained during the course of this litigation.

6 **PRAYER**

7 WHEREFORE, Defendants TEACHBK, INC., ILYA KISELEV and ANDREY BURTSEV  
8 pray that:

- 9 1. The Court deny Plaintiff's prayer for relief;
- 10 2. The Court dismiss Plaintiff's Complaint in its entirety with prejudice;
- 11 3. That judgment be entered in favor of each of the Defendants and against Plaintiff;
- 12 4. Defendants be awarded cost of suit incurred in this action, including reasonable  
13 attorney's fees to the fullest extent allowed by law; and
- 14 5. The Court grant such other further relief as may be deemed just and proper.

15  
16 DATED: September 30, 2024

LAW OFFICES OF ALLA V. VOROBETS

17 /s/ Alla V. Vorobets

18 Alla V. Vorobets, Attorney for Defendants  
19 TEACHBK, INC., ILYA KISELEV and  
20 ANDREY BURTSEV

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2 **DEMAND FOR JURY TRIAL**

3 Defendants TEACHBK, INC., ILYA KISELEV and ANDREY BURTSEV hereby demand a  
4 trial by jury of all issues triable of right by jury in connection with the above-captioned action,  
5 including, without limitation, the Plaintiff's Complaint and the claims and causes of actions alleged  
6 therein, and Defendants' Answer and affirmative defenses to the foregoing.

7

8 DATED: September 30, 2024

LAW OFFICES OF ALLA V. VOROBETS

9 /s/ Alla V. Vorobets

10 Alla V. Vorobets, Attorney for Defendants  
11 TEACHBK, INC., ILYA KISELEV and  
ANDREY BURTSEV

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